

**COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF TAX APPEALS
FILE NO. K05-R-41**

BURTON STONE, INC.

APPELLANT

V.

ORDER NO. K-19452

**REVENUE CABINET (N/K/A FINANCE
AND ADMINISTRATION CABINET,
DEPARTMENT OF REVENUE),
COMMONWEALTH OF KENTUCKY**

APPELLEE

At the January 17, 2006 hearing of the case styled as Burton Stone, Inc. v Finance and Administration Cabinet, File No. K04-R-15, the Finance and Administration Cabinet, Department of Revenue, and Burton Stone, Inc., orally moved this Board to remand that case matter to the Department of Revenue for further review. The parties also discussed remanding this case to the Department for further review. Upon that joint motion, and the Board being otherwise sufficiently advised,

IT IS HEREBY ORDERED that this matter is remanded to the Department of Revenue. Nothing in this order shall be construed as to limit the right of the Finance and Administration Cabinet to issue a final ruling on any grounds or limit Burton Stone, Inc.'s right to appeal any final ruling to this Board pursuant to KRS 131.110.

**DATE OF ORDER
AND MAILING: February 3, 2006**

**KENTUCKY BOARD OF TAX APPEALS
FULL BOARD CONCURRING**

**NANCY MITCHELL
CHAIR**